

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 11

FINAL READING

Introduced by Langemeier, 23.

Read first time January 8, 2009

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to the Nebraska Real Estate License Act;
2 to amend section 81-885.14, Reissue Revised Statutes of
3 Nebraska; to change licensing fees; to change a provision
4 relating to revocation or denial of a license; and to
5 repeal the original section.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-885.14, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 81-885.14 (1) To pay the expense of the maintenance and
4 operation of the office of the commission and the enforcement of
5 the Nebraska Real Estate License Act, the commission shall, at the
6 time an application is submitted, collect from an applicant for
7 each broker's or salesperson's examination a fee to be established
8 by the commission of not more than ~~one~~ two hundred fifty dollars
9 and an application fee of not more than ~~one~~ two hundred fifty
10 dollars. The commission shall also collect a reexamination fee to
11 be established by the commission of not more than ~~one~~ two hundred
12 fifty dollars for each reexamination. The commission may direct
13 an applicant to pay the examination or reexamination fee to a
14 third party who has contracted with the commission to administer
15 the examination. A ~~nonresident applicant who is duly licensed~~
16 ~~in the state of residence and~~ An applicant who is granted a
17 ~~nonresident license under a reciprocal agreement~~ license under
18 section 81-885.17 without being required to take an examination
19 shall not be required to pay the examination and application fees.
20 Prior to the issuance of an original license, each applicant who
21 has passed the examination required by section 81-885.13 or who has
22 received a license under a ~~reciprocal agreement~~ section 81-885.17
23 shall pay a license fee to be established by the commission.
24 The license fee established by the commission shall not exceed
25 the following amounts: For a broker's license, not more than ~~one~~

1 hundred fifty dollars for a resident and not more than three
2 hundred dollars for a nonresident, two hundred fifty dollars; and
3 for a salesperson's license, not more than ~~one hundred dollars for~~
4 ~~a resident and not more than two hundred dollars for a nonresident.~~
5 two hundred dollars. After the original issuance of a license,
6 a renewal application and an annual fee to be established by
7 the commission of not more than ~~one hundred fifty dollars for~~
8 ~~each resident broker,~~ not more than three hundred dollars for
9 ~~each nonresident broker,~~ not more than one hundred dollars for
10 ~~each resident salesperson,~~ and not more than two hundred dollars
11 ~~for each nonresident salesperson~~ two hundred fifty dollars for
12 each broker, and not more than two hundred dollars for each
13 salesperson, shall be due and payable on or before the last day of
14 November of each year. Failure to remit annual fees when due shall
15 automatically cancel such license on December 31 of that year,
16 but otherwise the license shall remain in full force and effect
17 continuously from the date of issuance unless suspended or revoked
18 by the commission for just cause. Any licensee who fails to file
19 an application for the renewal of any license and pay the renewal
20 fee as provided in this section may file a late renewal application
21 and shall pay, in addition to the renewal fee, an amount to be
22 established by the commission of not more than twenty-five dollars
23 for each month or fraction thereof beginning with the first day
24 of December if such late application is filed before July 1 of
25 the ensuing year. Any check presented to the commission as a fee

1 for either an original or renewal license or for examination for
2 license which is returned to the State Treasurer unpaid or any
3 electronic payment presented to the commission as a fee for either
4 an original or renewal license or for examination for license
5 that is not accepted against the commission shall be cause for
6 revocation or denial of license.

7 (2) An inactive broker or salesperson may renew his or
8 her license by submitting an application before December 1 prior
9 to the ensuing year. Such broker or salesperson shall submit the
10 renewal fee together with the completed renewal application on
11 which he or she has noted his or her present inactive status.
12 Any broker or salesperson whose license has been renewed on such
13 inactive status shall not be permitted to engage in the real estate
14 business until such time as he or she fulfills the requirements
15 for active status. Any license which has been inactive for a
16 continuous period of more than three years shall be reinstated only
17 if the licensee has met the examination requirement of an original
18 applicant.

19 Sec. 2. Original section 81-885.14, Reissue Revised
20 Statutes of Nebraska, is repealed.